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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/506,638	09/03/2004	Chin Fong Lee	3225-101	4818
6449	7590	09/28/2005	EXAMINER	
ROTHWELL, FIGG, ERNST & MANBECK, P.C. 1425 K STREET, N.W. SUITE 800 WASHINGTON, DC 20005			MORGAN, EILEEN P	
			ART UNIT	PAPER NUMBER
			3723	

DATE MAILED: 09/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/506,638

**Applicant(s)**

LEE, CHIN FONG

**Examiner**

Eileen P. Morgan

**Art Unit**

3723

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>9-3-04</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### **Claim Rejections - 35 USC § 112**

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
2. Claims 8,9,12,13 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.  
Claim 8, 'to improve grip' of what? Cl. 9, what is IPA? This is not clear and not described in the specification clearly. Cl. 12, 'that requires heating' refers to what? Just semiconductor processing? What do the 'or's refer to? Cl 13 is unclear. This does not further limit method claim 1.

### **Claim Rejections - 35 USC § 102**

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:  
A person shall be entitled to a patent unless -

(e) the invention was described in-

- (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or
  - (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).
4. Claims 1-5, 10, 12,13,14 are rejected under 35 U.S.C. 102(b) as being anticipated by Zimmer et al.-6,632,127.  
Zimmer discloses repairing by conditioning a 'pedestal', as broadly claimed, that is used for semiconductor processing, wherein polishing the surface (14) uses a film of diamond particles (30) bonded to a substrate (26) of silicon material (col. 4, line 45), wherein the film has a coarseness of 15-30 microns (col.4, line 35).

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**Claim Rejections - 35 USC § 103(a)**

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 6,7 rejected under 35 U.S.C. 103(a) as being unpatentable over Zimmer in view of Kimura et al.-6,293,854.

Zimmer discloses repairing by conditioning a 'pedestal', as broadly claimed, that is used for semiconductor processing, wherein polishing the surface (14) uses a film of diamond particles (30) bonded to a substrate (26) of silicon material (col. 4, line 45), wherein the film has a coarseness of 15-30 microns (col.4, line 35). Zimmer does not disclose using an adhesive to bond the diamond film to the substrate. However, Kimura teaches repairing a pad or 'pedestal' using a substrate (1) having a diamond film (3) bonded thereto by an adhesive (6). Therefore, it would have been obvious to one of ordinary skill in the art at time invention was made to bond the diamond film of Zimmer to the substrate with an adhesive, as taught by Kimura, in order to secure film to substrate using a well-known, inexpensive bonding means. The choice of adhesive, such as fluorinated oil would have been an obvious design expedient, since any known adhesive would perform equally well.

7. Claims 8,9,11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zimmer, alone.

Zimmer discloses repairing by conditioning a 'pedestal', as broadly claimed, that is used for semiconductor processing, wherein polishing the surface (14) uses a film of diamond particles (30) bonded to a substrate (26) of silicon material (col. 4, line 45), wherein the film has a coarseness of 15-30 microns (col.4, line 35). Zimmer does not disclose using a tape to mount substrate, applying IPA, or wherein the pedestal is a heater pedestal. However, Zimmer uses an adhesive to bond the substrate to a backing plate. To use an adhesive tape would have been an obvious design expedient, since any known adhesive would perform equally well. It is not clear what IPA is, and Zimmer discloses applying a slurry to pedestal before polishing. So, as best understood, it would have been obvious to one of ordinary skill in the art at time invention was made to apply a material prior to polishing in order to enhance the polishing effects and rates. The exact workpiece would have been an obvious design expedient since this method would work on various workpieces and would be within the level of ordinary skill.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eileen P. Morgan whose telephone number is 571.272.4488. The examiner can normally be reached on Monday-Thursday (Office), Friday (Work at home).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hail can be reached on 571.272.4485. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EM  
September 26, 2005



EILEEN P. MORGAN  
PRIMARY EXAMINER